Nevada City Nugget

COVERS RICHEST GOL D AREA IN CALIFORNIA

Vol. 11. No. 93. The County Seat Paper NEVADA CITY, CALIFORNIA The Gold Center FRIDAY, NOVEMBER 26, 1937.

From the Californian, March 15, 1848:
The Liberty of the Press consists in the right to publish the Truth, with good motives and for justifiable ends. — Alexander Hamilton

Thinking Out Loud

H. M. L.

While for the past four years we have heard promises and plans for balancing the Federal budget, and nothing has been done about it, and probably nothing will be done about it until the administration at Washington changes, California is rapidly coming to the stage where the state budget may be said to balance. On this paramount fact Governor Merriam, according to the reams of publicity which reach this office, will take his stand in making his bid for re-election.

Only two governors in the state's history have been re-elected. One was Hiram Johnson in the great years of California Progressivism, and the other early in California history, whose name we have forgotten. Generally speaking we regard changing governors every four years as a rather good thing. An eight-year-old political machine is harder to beat than one four years old. Still, if it came to a choice between Governor Merriam and one of those long haired rabble rousers from Southern California we would prefer Governor Merriam as the lesser of evils. While we may depreciate him among ourselves, that is among Californians, we are conscious that we have been much more fortunate than Pennsylvania or Michigan, governed by two unprincipled charlatans who change fronts so fast that their shoes and noses frequently point in opposite directions.

When one considers the handicap that California's climate imposes on its inhabitants during hard times, it really is remarkable that the budget is on the way to a balance. The refugees from the Dust Bowl, the down-and-outers from 47 states find haven here and none of them actually starves because somehow, someway, private or public charity cares for them. No one begrudges food and clothing for men, women and children, whom misfortune has made destitute. And despite all the uproar that is made concerning this influx of the poor, we really do believe that California offers them a better chance of self-support than any other state in the Union. A man determined that he will be self-supporting, self-resecting is more favored by weather, soil and employment conditions in California than almost anywhere else.

At the same time, however, we do think that in view of the tremendous flow of the destitute into this state, that Federal help should match in some respects the help California gives them. To bar them from entering California for any reason whatever, save those of health or public safety, is to deny them their right under the Constitution. The efforts of the Los Angeles police a year ago to patrol the state border and keep out those without means of support was a high-handed outrage, of which probably the Los Angeles authorities are now heartily ashamed.

Sometime since we heard an officer of the Salvation Army address a group of business men. He appealed to them not to dry up the font of charity. He declared there was a tendeney on the part of many private donors to charitable institutions to refuse, or to cut down their customary gift to the unfortunate and destitute. The reason for this withdrawal was due, he stated to the belief that the Federal government has so usurped the function of caring for those in need, at the same time rigorously taxing the private sources formerly generous in their contributions, that private donors in some cases decided to let Uncle Sam do all the giving.

Of course, the logic of the charitably inclined cannot be attacked on its material side. People who formerly gave freely to the relief of needy folks, are now heavily taxed, and very uncertain what the future holds for them in the way of more taxes. On the other hand the gift made to relieve the needs of another human being benefits the giver spiritually. His is the exchange of material things for that grace and sympathy which is the essence of everything fine in civilization. Even though the pocket shrivels under the constant drain, the spirit that refuses becomes even more shrunken. This is the week of the Red Cross campaign. We trust everyone who has contributed in past years will again give to the best of his ability, for Nevada City has never failed in raising its quota.

Thug Robs Garage; Kidnaps Night Man

A pair of bandits held up Leiter's Nevada City Garage Thursday morning at 1:30 a. m. One of the bandits waited outside parked in a car outside the Union Hotel while the other went in and forced Leiter's night man, Alfred Shroyer to open the cash register and give up forty dollars in cash. Then at the point of a pistol, Shroyer was forced into the waiting car, a Ford V-8. The desperadoes drove him up the Tahoe Ukiah highway about five miles and then forced him out of the car. There they took a shot at him. The bullet missed him.

The criminals are believed to have escaped into Nevada. Authorities have been notified and every effort will be made to apprehend the culprits.

MOTOR CAMPERS HELP CUT FIRE LOSS IN FOREST

Motorists who camp, picnic and travel in the National Forest areas of the United States are given a large share of credit for the fact that the toll of fires in these great preserves has been practically cut in half this year, according to the California State Automobile Association.

"During the first nine months of this year, only 5,141 fires were caused in the national forests by carelessness as compared with 9,609 fires in the same period last year," the motorists organization reported. "Further, the burned acreage resulting from man-caused fires this year is 70 per cent below the average for the past five years.

"Uncle Sam, through his forest service, says that while this year's fire season has been 'easier,' the reduction in the number of man-caused fires is nevertheless encouraging and foresters are hopeful that the drop in such fires indicates a definite trend on the part of the American public to exercise greater care with fire in the woods.

"The fact that the traveling public is exercising greater care with fire is further indicated by the relatively small increase in the number of man-caused fires in recent years in spite of the fact that the number of campers, picnickers and passing visitors in the national forests has increased more than five times in the last ten years.

"The automobile association and affiliated A. A. A. clubs have cooperated in the fire prevention campaign by issuing warnings to motorists against throwing lighted matches, cigars and cigarettes from their cars while traveling through forest areas and by emphasizing the need for proper handling of camp fires."

CALIF. BUSINESS MEN JOIN CRY FOR TAX CUTS

A statewide campaign of business and industrial leaders in support of proposals for revision of the federal surtax on undistributed profits is securing recognition of the special Congressional sub-committee considering tax revision, according to James Irving, Placerville, chairman of the Tax Committee of the Sacramento Valley Council of the State Chamber of Commerce.

Irving reports that the Statewide Committee has presented a series of recommendations to the Congressional Sub-committee, aimed at clarifying the act, eliminating conflicts between state and federal laws, permitting the payment of outstanding debts contracted in good faith, permitting normal expenditures for expansion, and permitting adequate reserves for normal business operation.

Thousands of lettters have gone to California's Congressional delegation pointing out the need for early revision of the surtax act. The Congressional Committee has received the recommended changes, which are being given consideration. Congressman Frank H. Buck is the only western member of the committee and is being appealed to by thousands of Californians to present the California viewpoint as expressed in the State Chamber's recommendations.

Mr. and Mrs. John Darke enjoyed Thanksgiving day at the home of Mr. and Mrs. Ernest Peterson.

MOTHER OF R. J. BENNETTS LAID TO REST

The death of Mrs. Elizabeth Bennetts late Tuesday night caused the deepest sorrow to all her many friends and acquaintances throughout the community. The name of this woman, so greatly revered and loved, has become throughout the Twin Cities indelibly associated with works of goodness and benevolence. The Holmes Hooper Funeral home will conduct the funeral services at two o'clock this afternoon. Rev. A. L. Pratt, pastor of the Grass Valley Methodist church will officiate.

Mrs. Bennetts, who was eighty-five, was very active till her last days. Her death, coming after a life of happiness and health was so sudden that her many friends are stunned. She felt no illness until Tuesday noon. Monday afternoon she had spent in the company of her son Howard Bennetts.

Her son, J. A. Bennetts, Jr. was at her side when she passed away. Mrs. Bennetts was a native of St. Just, England. She came to the United States when she was twenty one and became the bride of the late J. A. Bennetts. Sr. The couple and their oldest children moved to Grass Valley in 1879.

The deceased woman was a member of the Aurora chapter of the Order of the Eastern Star and of the Esther Rebekah. She had long been a prominent figure in the Methodist Episcopal church and a moving force in the Ladies Aid Society.

Mrs. Bennetts is surived by R. J. Bennetts, Nevada City, J. A. Bennetts, George F. Bennetts and Howard Bennetts, Grass Valley, Mrs. Pearl Croft, Colac, Victoria, Australia, who visited here five years ago, and Mrs. Horace Curnow, Nevada City, who were her sons and daughters.

JAMES MARTIN'S PASSING MOURNED

The body of the late James Martin, Murchie mine blacksmith who passed away Tuesday night in Nevada City was shipped to San Francisco today by Holmes Funeral Home. Funeral services will be held there with interment being made in the family plot in Holy Cross cemetery. A native of Canada, he left there years ago coming to the western United States to live. He has spent the past eight years in this city with his wife. A niece came to this city to accompany the widow to the city. He leaves a mother, brothers and a sister in Canada, aunt in Fresno and nieces and a nephew in San Francisco. He was highly esteemed. His sudden passing with pneumonia came as a shock to his many friends.

CHARLES EDEN SERVICES TODAY

Charles Eden, one of the most respected inhabitants of this section, passed away Wednesday afternoon after an illness of three years. Mr. Eden had spent almost all of his life in the Indian Flat district. His parents were pioneers in the Indian Flat district. They settled there in the sixties. Charles Eden was born in the old Eden home a few hundred yards from his own lifetime home.

Seven children mourn the loss of this devoted father: they are: William Eden of Yuba City; Steven Eden of Nevada City, Orville Eden of Medford, Oregon; Mrs. Verla Lutz of Lincoln, Oregon; Mrs. Howard Penrose and Misses Lois and Elma Eden of Nevada City.

The funeral will be held this afternoon at 3:30 o'clock. Rev. Pearson of the Methodist Episcopal church will officiate at the services, which will be at the Holmes Funeral Home.

RED CROSS FUND FINDS GENEROUS RESPONSE HERE

Committees are endeavoring to contact everyone in Nevada City to help reach the Red Cross quota of $300 for this city. High school boys and business men have been canvassing the residential and business district and to date a little over $200 has been subscribed, the list of donors follows:

Jay Coughlan, Dr. Reed, Grace Kimsey, C. M. Hing, Sun Produce Co., Mrs. Shields, Herbert Skeahan, Sven Dorf, Rachel Penrose, Howard Penrose, Rudy Bergren, Steve Matteoda, The Pied Piper, Will Williamson, Lloyd Penrose, E. Schreiber, Wm. Griffiths, Wm. Young, Jas. Colley, Mrs. Davis, Ramsey's Cafe, R. E. Harris, Boston Mercantile, Purity Store, Myers Mobley, Mrs. Dickerman, Thos. Richards, Ruth Hutchinson, R. W. Rodda, Nevada City Bottle Shop, Joe E. Huy, Mrs. Betty West, Elbridge Skehean, Mrs. Ruby Miller, Charles Beauty Shop, Howard Lom, R. A. Ashley, Mary and Rena Cafe, Alice Langman, Miss Meservey, Fred Conti, George Glambigal, A Friend, Margery Cook, Jane Summers, S. Lee Leiter, Eddy Leong, Mrs. Gildersleeve, Mr. B. J. Gallagher, Edna Short, Frank Cartoscelli, Roy Stanley, Thelma Teft, A. Hartung, John Gaskins, Irma Ducotey, John Fortier, E. M. Rector, Lloyd Dudley, Robert Polglase, Carl Hieronimus, Peter Orzalli, James Dolan, Dr. Bell, Mrs. J. R. Bell, Frank Gridotti, Cardinal Meat Market, Rev. Washburn, Chas. Wyant, M. C. Van Winkle, H. Holbreek, Geo. Hitchens, Mr. Peterson, Mrs. Peterson, W. J. Pease, P. Carr, C. Bennett, Ray Murchie, Mr. and Mrs. C. Larsen, Carl Steger, Grace Parker, Ella Newell, Amy Davies, Dick Lane, Grass Valley Motor Co., Tom Hogan, T. B. Twitchell, Plaza Service Station, J. W. Shebley, Pop Johnson, R. Miller, A. Penelli. Omer Tompkins, Samuel Gould, Paul Taylor, Emil Ott, Ina Kron, Roma Grocery, Harrison Randall, Dave Richards, Wm. Tamblyn, Ward Sheldon, E. B. Dudley, Bosworth Furniture Co., W. L. Mitchell, J. J. Jackson, The Unique, Ed. Rose, Forest Risley, Bennie Bertlin, Harry Bolton, Jack Grissel, Charles Elliott, Louis Kopp, Clyde Gwin, U. S. N. Johson, Mr. and Mrs. Dick Worth, Andy Larsen, Walter Carlson, Richard Bigelow, Carroll Coughlan, Harley Leete, Oscar Odegaard, Ted Janiss, Geo. Chaney, Harold Draper, Frank Finnegan, A. Holmes, Dr. Hummelt, Chet Scheemer, H. Curnow.

Mr. and Mrs. J. Pascoe, Mrs. Alf Reynolds, Mrs. J. P. Muscardini, S. C Hieronimus, Pearl Backer, Mrs. F. W. Denton, Jr., Mrs. W. H. Richards, W. C. Jeffrey, Dr. David H. Reeder, Mrs. M. Larsen, Mrs. Charles Garner, Mrs. A. Jackson, Mrs. Peterson, Mrs. Bettles, Mr. and Mrs. Bob Evans, Mrs. James Hutchinson, G. E. Dimmen, Tahoe Sugar Pine Co., Nevada City Foundry, L. Netz, Mrs. Ed Murchie, Mrs. Holland, Mrs. J R. Ivey, Mrs. E. Schreiber, Harry Douglass, E. C. Uren, Mrs. Douglass, Mrs. Bill Wright, Mrs. Godfrey, Russell Wilson, E. B. Dudley, Mrs. H. H. Hallett, Cain's Auto Court, H. S. Anderson, Mrs. S. Ronning, Joseph E. Huy, Mrs. L. Smith, Mrs. Tredennick, Jack Clegg, Mr. E. O. Berger, Mrs. C. Arbogast, Mrs. B. L. Syms, Mrs. D. Richards, Miss M. Muller, Robert Nye, Martin Van Berg, Mrs. Helen Landry, Mrs. A. E. Linden, Mr. Vallow, Mrs. Gilbert DeBack, Mr. and Mrs. R. R. Goyne, Mr. and Mrs. Trevithick, Bank of America.

Those who have not been solicited and desire to subscribe to the Red Cross may leave their contribution at the Nevada City Nugget, the Grass Valley Union or the Bank of America.

IRELAN MINE

A program of diamond drilling is being done at the Irelan mine at Alleghany according to Ted LeMaire who passed through this city Monday from the mine on a trip to Berbeley for Thanksgiving. A 1155 foot tunnel has been driven and much high grade ore was taken out of the upper levels. The main vein or Irelan was struck in recent diamond drilling. San Francisco interests are in charge of the property among them being, Daniel G. Longtin, who diamond drilled foundations for the two San Francisco bay bridges, J. C. Musto of Musto and Keenan Co., and Ted LeMaire. The property has a past production record of $300,000.

New Black Maria Is Purchased for Police

Nevada City has a new Black Maria. No longer will our alert Chief of Police, Garfield Robson, have to drive about his duties in the antiquated old Dodge truck. A brand new navy blue 1937 Plymouth panel truck has been purchased by the city through Charles Leiter. The new police truck has a panel back, no windows and the truck door is in the rear.

The new truck is an ecquirement well in keeping with the city's modern spirit, exemplified in the brace of new public buildings.

CUT NO XMAS TREES WITHOUT LEGAL PERMIT

SAN FRANCISCO, Nov. 25.—Regional Forester S. B. Show today announced the appointment of law enforcement officers specially assigned to aid in the apprehension of trespassers having illegal possession of Christmas trees for sale or engaged in cutting these trees on National Forest land without written permit from the U. S. Forest Service. Mr. Show called attention to violations of "Forest and Fire Laws of the State of California" in which several trespass cases were successfully prosecuted last year because defendants failed to secure permits before cutting Christmas trees.

"In the interest of forest conservation," Mr. Show said "written permit or contract of sale must first be secured from National Forest supervisor's headquarters by anyone planning to cut Christmas trees on Federal land. There are areas in several National Forests of the state where the cutting of trees is allowed but a permit is required in all cases. It is necessary that the Forest Service authorize these operations only in those areas which will not be harmed by the removal of the young trees."

Nearly all of the Christmas trees for the California and eastern markets have already been cut under permit and transported for storage. The assignment of special officers by the Forest Service has been made in an effort to reduce forest depredation by tree poachers whose activities are usually carried on just prior to the Christmas season.

Christmas tree cutting operations for the most part have been in Shasta, Lassen and Tahoe National Forests. Portions of other forest areas in the Sierra Nevada also have been opened this year to cutting under the supervision of National Forest supervisors and district rangers. In no instances are clear cutting made or devastation permitted.

Most common of Christmas tree varieties in the California region of the forest service are the red fir, popularily known as the silver tip, and the white fir. In greatest demand is the silver tip which annually enhances the Christmas atmosphere of many thousands of California homes.

STUDY MADE OF ROAD ACCIDENTS

SACRAMENTO, Nov. 25.—On the basis of 362 years experience the State Department of Motor Vehicles is seeking to determine the cause of traffic accidents.

The 362 years represent the aggregate service of 67 officers of the California highway patrol who are attending a school of advanced training at Sacramento headquarters.

Each of the 67 officers has been asked to write a thesis on the causes of accidents, based on his actual experience.

An analysis of the officers' theories will be completed within the next three weeks and will be used as a part of the work of the Traffic Safety Commission of California, organized two years ago by Governor Merriam to promote safety on the highways.

NO FIREWORKS IN GRASS VALLEY

The City Council of Grass Valley adopted ordinance No. 47 at its meeting held Tuesday evening, November 23. aid ordinance prohibits the sale, purchase and setting off of fireworks, firecrackers and firearms in the city of Grass Valley and becomes effective on Jananary 2, 1938.

STATE CHAIRMAN REVIEWS BOOKS AT CIVIC CLUB

Monday night was program meeting of the Civic Club, the ladies enjoyed a treat in hearing Mrs. J. B. Morehead of Marysville, state chairman of literature of the Federated Womans Club of California. Mrs. Morehead is a club member of the Northern District and well known by the Nevada City ladies who have had the pleasure of meeting at the various district conventions.

Mrs. Morehead chose "Books on Parade" as her topic and in addition to her brief review of several books discussed the value of reading, stressing its broadening and cultural effect on the reader. Mrs. Morehead feels that everyone has some time to read and that though one's greatest pleasure may be in a special type of reading, such as classical, historical, drama or poetry every one, to give them a finer appreciation of life should have a great diversity in reading. and thus chose books of varying types for her review sketches.

Plans for the Community Christmas Tree were left with a committee consisting Mrs DeWitt Nelson and Mrs. W P. Lee who will keep the public informed of plans for the affair.

She recommends for a background of reading that club members read "So Great a Man" by David Pilgrim, "Golden Fleece" by Bertila Harding, and "Cup of Gold" by Steinbeck.

She paid tribute to our great American poets, Longfellow, Hawthorne, Emerson, Lowell, Whittier and Emerson.

For a looking forward idea she suggests "North to the Orient" by Ann Lindberg. "Skyway to Asia," "Northwest Passage," and "No Other White Men."

Looking into the future the following scientific issues are: "Man the Unknown," by Carrell. "An American Doctors Odyssey" by Heiser, and "Woman Surgeon" by Rosalie Slaughter Morton.

"Why Keep Them Alive," "Men Against Death", and "Microbe Hunters" were also placed in this class.

For individual reading "This Life I've Loved," "Something of Myself" and "Present Indicative."

For group reading "This New America," "If I Had Four Apples," and "Of Mice and Men."

Gloom chasers: "The Country Kitchen," "Skipper Jack," "Life's Minor Collisions," "Young Mrs. Meggs."

"The Wood Carver of Olympus" and the "Lost Horizon" were strongly recommended as entertaining and instructive of life.

BOARD OF FIRE REVIEW HELD BY FOREST SERVICE

An informal board of fire review was conducted by the Tahoe National Forest service in their local headquarters office Monday and Tuesday. In consultation with Supervisor DeWitt Nelson and staff were three members from the regional offices in San Francisco, R. L. Deering, assistant regional forester; J. Price, assistant regional forester, and Geo. Gowan, fire control official.

The review of the past fire season was made in regard to man caused fires, who were responsible parties and what method to be used in reducing man caused fires in the future. It was shown there were 118 man caused fires in 1936 and 87 in 1937.

Means taken for prevention in the past has been through law enforcement. publicity and increased detection and training efficiency or short term proteetion forces.

Nevada City Nugget

305 Broad Street. Phone 36

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H. M. LEETE ..... Editor and Publisher

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SUBSCRIPTION RATES

One year (In Advance) $2.50

America Laughs

London's stage censor would sound the alarms and call out the guards. Hitler would yell for the silk-hatted executioner, and Mussolini would grab for the castor oil. In fact, most any State in Europe would sweat with choleric apoplexy—then jail or execute anyone so impudent as to satirize its government and leaders.

Yet here in the United States, the President, his Cabinet, and the Supreme Court are being gayly lampooned in an immensely popular musical comedy.

The authors have not been fined or jailed. No one has been shot. And the prominent justices and government officials being so vigorously drubbed by the barbed humor of "I'd Rather Be Right," are themselves laughing at its lively satire—along with the rest of the nation, Democrat and Republican.

And this is as it should be, although most of Europe can't understand it. We know, however, that humor in a democratic country is no respector of persons. It's one of our most precious heritages. And it's good to know it still flourishes—zestful, trenchant, and peppery as ever!—Contributed.

Baby Derby!

One of the harshest jokes of the decade seems to be nearing its collapse in a sorry climax.

The desperately determined, money-hungry women up in Canada who flung common sense out the window to see who could produce the most babies in ten years, now find the glittering riches they suffered for, in danger of flying from their fingers.

With the ten year race over, relatives of the madcap sportsman, financier and bachelor who started the $500,000 Toronto baby derby, are seeking to prove the child-bearing contest was only a joke—and not a very good one.

So the buxom Toronto mother who bore 12 children in the prescribed time may find herself, and her competitors, the dupe of an ironic prank. And who is to blame? The women ensnared by a promise of fabulous wealth? The eccentric bachelor who preyed upon a human weakness for money? Or the relatives who failed to oppose the baby derby until it was over?

Like the alchemist seeking gold, the gambler praying for a lucky "strike", mothers of the baby race are finding the path to easy money lies over a long and rocky road—with no guarantees of victory!—Contributed.

Government and Business

(From the New York Times)

Not very long ago President Roosevelt said that the recovery of business during his first Administration was not the result of pure chance or a mere turn of the wheel in a cycle: "We planned it that way and don't let anybody tell you differently."

Confronted now by the fact that a very substantial recession of business has taken place, he has quoted an economist to the effect that "the continuance of business recovery depends far more upon business policies than it does upon anything that may be done, or not done in Washington." According to this reasoning, when business is good, the Government deserves the credit and when business is bad the fault lies with business.

Government policies have raised production costs, and now propose to raise them more. Government taxes have prevented the plowing back of earnings into new equipment which would lower prices and widen the market for production. Government deficits have aroused a fear of still higher taxes than those which now prevail. Government competition has discouraged the investment of private capital in a great industry, the public utilities, where new construction has been lagging far behind the normal rate. Government regulation has overstepped the bounds of protection of the public interest, in some cases, and become essentially punitive in character.

It is somewhat unreasonable, in these circumstances, to ask business single-handedly to check a recession which governmental policies have helped to bring about.

Capital Business

Compiled by

Sacramento Chamber of Commerce

SACRAMENTO, Nov. 25.—A permanent exhibit at the California State Fair has been promised by Secretary-Manager Robert Muckler after mining interests of the state urged that usch an additional exhibit be established. Muckler announced that space will be provided in the new additional buildings for the mining exhibit which would be opened throughout the year and would contain a display of all types of minerals found in California. The Mining Committee of the Sacramento Chamber of Commerce headed by Charles L. Gilmore instigated the request for the mining exhibit on the basis that such a consolidated display of the mineral wealth of the state would be more practical than the present system under which such exhibits are mixed with agricultural and commercial booths.

Gilmore declared: "The mining industry is so closely interwoven with the history of California that the State Fair is not actually representative of California without an individual and centralized mining exhibit.

Actual construction work of three debris dams which will bring back hydraulic mining will start in less than six months Major W. E. Harris, Army Engineer and local member of the California Debris Commission, told the Mining Committee of the Sacramento Chamber of Commerce last week. The dams will cost a total of $6,220,000 and will be constructed on the north fork of the American river, the middle fork of the American and on the Yuba river. They will have an aggregate debris capacity of 61,000,000 cubic yards and not only will permit the resumption of hydraulic mining, but will retard natural soil erosion and aid in Sacramento Valley flood control.

There is no cause to worry about the Central Valley Water Project in the opinion of Arthur S. Dudley, Secretary Manager of the Sacramento Chamber of Commerce following his return this week from Washington D. C., where he conferred with John Page, Commissioner of Reclamation. Dudley made this comment on statements to the effect that there was danger of losing federal aid through the delay in the start of certain construction. He said that Page pointed out that the delays were incidental to acquiring property and water rights and that at the present time there is no danger of losing federal support. Page is scheduled to be in Sacramento December 12 to discuss the Central Valley Project with Walker R. Young, chief engineer.

Completion of a mining labratory on the campus of the Sacramento Junior College was announced this week. Installation of this equipment gives the mining department of the college the facilities for offering one of the most complete practical courses in mining on the Pacific Coast. Included, is all of the equipment necessary for instruction in the process involved in fire and wet assaying. The present mining program can be completed by students in two years and give them a semi-professional status in the industry.

Sacramento Community Chest relief agencies announced this week the adoption of a policy of not aiding transients who refuse camp care or refuse to return to their home states.

Installation of a new shake roof on Sutter's Fort, part of a program to restore the Fort to its original condition has been started. The buildings inside the Fort also are being remodeled in line with the Sacramento Centennial Committee's plans to restore the Fort for the exposition here in 1939. The old fashioned spelling bee has been abolished by the directors of the State Fair because of decreasing interest in the contest Secretary Manager Robert Muckler announced this week.

Judge Walter L. Mobley left Tuesday for San Francisco on a business trip. He returned to Auburn to spend Thanksgiving day with his daughter, Miss Elaine Mobley, teacher in Placer county schools.

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Vol. 1. NOVEMBER 26, 1937 No. 65.

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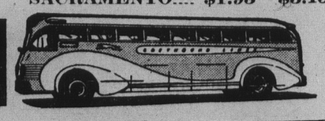
DON'T
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Percentage Depletion in Mining Defended

(Editorial in Mining and Contracting Review.)

The Secretary of the Treasury in his letter to the President on May 28, 1937, in pointing out certain devices which were being employed to evade income taxes, singled out percentage depletion and cited it as an instance in which the law itself permits individuals and corporations to avoid their equitable share of the tax burden. The Secretary estimated an annual "loss of revenue" due to this source of about $75,000,000 and recommended that percentage depletion be eliminated.

No action was taken at the last session of Congress on the Secretary's recommendations but this with other matters will shortly be considered by a sub-committee of the Committee on Ways and Means of the House of Representatives.

The mining industry meets the challenge of the Secretary of the Treasury. We deny that the allowance of depletion upon a percentage basis constitutes an avoidance or an evasion of tax. On the contrary, we assert that it is a fair and just allowance to taxpayers engaged in mining. Our position can be summarized briefly as follows:

1.—Depletion is a return to the mining industry of the capital consumed in its operations.

The mineral in place in the ground is the principal capital of every mineral producer. As each ton is extracted, a certain portion of his captial is actually consumed. A portion of his proceeds from each ton is the return of his capital and only a portion is income. Since the inception of the income tax, every effort has been made to tax income only, and to avoid taxing capital. Depletion is merely the method by which the return of capital is computed. The right to a return of capital has always been recognized. This right has never been seriously questioned. We believe it is not questioned by the Secretary at this time.

2—The present system of computing depletion resulted from careful study and affords the best means for determining the annual consumption of capital.

After years of experience with other methods of computing depletion, the Congress in 1932 included the present percentage method for metal mining, coal and sulphur. This was upon the recommendation of the staff of the Joint Committee on Internal Revenue Taxation, which made an exhaustive study of the subject. The Joint Committee held extensive hearings, and the printed reports of the staff of the Joint Committee and of the hearings before the Committee were considered by the Congress in the adoption of the percentage method and in fixing the rates. The rates so fixed were lower than the average rates actually allowed under the previous laws.

3—The percentage method furnishes both uniformity and certainty in computing depletion.

The report of the staff of the Joint Committee called special attention to the uncertainty and lack of uniformity in the methods pursued prior to 1929 in computing depltion. Tables were given showing the wide difference in allowances of depletion between different branches of the industry and individual taxpayers The application of the percentage method has remedied this situation.

4—Percentage depletion results in stability of revenue to the government.

The report of the Joint Committee pointed out that under the methods theretofore used in determining depletion there was a lack of stability of revenue to the government, the tax during the lean years being practically eliminated. By providing a percentage deduction based on the value of actual annual production, and by limiting the amount of such deduction to 50 per cent of the net income of the taxpayer, greater stability of revenue was assured.

5—Percentage depletion provides more equal treatment of those engaged in the industry.

One of the objects sought to be attained by the percentage method was the elimination of the inequality which had existed as between competing members of the mining industry. Under the methods in use prior to 1932, certain companies had been able to establish adequate depletion allowances which, by reason particularly of the geological nature of their deposits, were not available under the statute to others. The present law tends to remove this inequality and to give to mining taxpayers some measure of protection against taxation of their capital.

6—Percentage depletion is more economical of administration.

The determination of the value and tonnage of mineral deposits is necessarily a costly process. Experts must be employed by both the government and the taxpayer. Innumerable controversies arise. The determination of tax liabilities is delayed. The percentage depletion method eliminates most of the expense, removes many of the uncertainities and permits more prompt determination of tax liabilities.

7—Percentage deplention protects the small operator.

The small mine operator can not afford to spend the money necessary to establish the value of his mineral deposits and the corresponding depletion value of his unit of production. Percentage depletion removes the necessity for such expenditures. It provides a simple, understandable method by which, from the inception of his enterprise, he may receive the reasonable allowance for depletion contemplated by the statute. It assures him fair and equal treatment with other operators. It protects him against the taxation of the capital he has consumed in his operation.

8—Percentage depletion substitutes actual figures for estimates.

The following is quoted from the letter of Mr. L. H. Parker, Chief of Staff to the Joint Committee on Internal Revenue Taxation, transmitting the report of the staff of that committee, dated December 17, 1929:

"The methods of percentage depletion proposed for consideration are not such a departure from the present system as would appear from a preliminary inspection. The analytic method of valuation now used in most important cases arrives at the value through the estimation of future expected profits. Depletion based on a percentage of net income from the property merely uses actual figures instead of estimated figures."

9—Percentage depletion provides only a fair return of invested capital to the industry.

The propriety of percentage depletion, from the point of view both by the government and the taxpayer, should be measured by its application to the industry as a whole. Unquestionably, the industry as a whole has never recovered its capital under any of our present laws, and never will even under the percentage method.

The cost or value of a mineral deposit seldom, if ever, is measured by the money expended to discover, explore and develop it. Vast sums are devoted annually to the search for deposits, and these sums must be included in the cost of whatever deposits may be discovered In addition to this, vast sums are expended in research, to make commercially available mineral deposits hitherto worthless. Of the total number of properties in which money is expended, only a very small number ever prove to be commercially mineable. In the great majority of cases the entire expenditure is irretrievably lost. In many others only a portion of it is ever recovered. A true base of depletion would be that method which would return to the industry as a whole the entire sums expended throughout the years in the discovery and development of mineral properties. The mining industry could well insist that it be granted adequate depletion allowances for savings in expense to both the government and the taxpayer, that they protect the small operator against discrimination and the taxation of his capital, that they return no more to the industry than its annual consumption of capital, and that they constitute the best procedure yet devised for recognition of the capital continuously invested in an industry necessary to the welfare of the nation.

Tested purely from a tax policy point of view, the mining industry believes it should be treated as fairly, in the liquidation of its assets, as other taxpayers. Under the present law, gained from the liquidation of business enterprises is properly considered capital gain, and is taxed at the lower rates applicable to capital gains. The annual extraction of mineral deposits is necessarily but a step in the complete liqidation of the enterprise Under percentage depletion, available solely for the purpose of computing capital, tax liabilities are still far in excess of those imposed on other liquidations.

Once a mining property has become exhausted the enterprise is completely liquidated. Its ore reserves have been consumed, and its plant and equipment are worthless. In other words, mining represents compulsory realization of capital investment, and this situation has always received special treatment under our revenue laws.

The importance of continuous mining operations has always been recognized as a matter of public policy. In this modern age mineral products are a necessity to the general welfare of the entire nation and its defense in time of war. Allowance of depletion upon a percentage basis is necessary to provide funds to assure a continuous supply of essential minerals. Out of the gross returns to the industry each year, there is returned a sum which is available to permit partial replacement of diminishing reserves. While this sum never equals the amount actually invested, it constitutes a fund to be devoted to exploration and research which will result in the discovery of new mineral deposits or in new methods of their treatment.

In 1936, when the proposed tax upon undistributed earnings was under consideration by Congress, the Treasury officials repeatedly stated that the mining industry had nothing to fear from the adoption of this new principle of taxation, as they had their allowance for depletion under the percentage system which would provide funds for exploration and development. The Treasury officials at the same time specifically assured the industry THAT THEY DID NOT PROPOSE TO DISTURB THIS ALLOWANCE. Now, with a tax upon undistributed earnings which makes it almost prohibitive to retain them in the business, with increased difficulty in securing new capital under the administration of the Securities Act as applied to mines, the Treasury proposes to eliminate the one fund which might be relied upon for replacing exhausted bodies of minerals.

We submit that the provisions of the present law are fair and equitable, that they permit of substantial this purpose. However, it has made no such claim. Adequate depletion allowances for this purpose would far exceed the modest amounts computed and allowed under the present law.

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LEGAL NOTICES

No. 6923
SUMMONS
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF NEVADA.

LUELLA HAMILTON COSPER, Plaintiff vs. CLIFFORD L. HAMILTON, as Administrator of the Estate of MARY ANN HAMILTON, Deceased, CLIFFORD L. HAMILTON, As Administrator of the Estate of BERT M. HAMILTON, Deceased, RICHARD CONNOLLY, Also known as RICHARD CONNELLY, JAMES NANKERVIS, and CLEMENTINE NANKERVIS, his wife, MARGARET DESMOND, JOHN DOE, RICHARD ROE, and also all persons unknown who have or claim any interest in or lien upon the real property herein described, Defendants.

SUMMONS.

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETINGS TO:

Clifford L. Hamilton, As Administrator of the Estate of Mary Ann Hamilton, Deceased, Clifford L. Hamilton, As Administrator of the Estate of Bert M. Hamilton, Deceased, Richard Connolly, Also known as Richard Connelly, James Nankervis and Clementine Nankervis, his wife, Margaret Desmond, John Doe, Richard Roe, and also all persons unknown who have or claim any interest in or lien upon the real property herein described, DEFENDANTS.

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that an action has been commenced against you in the above entitled court by the above named plaintiff for the purpose of partitioning that certain real property, situate, lying and being in the County of Nevada, State of California, described as follows, to-wit:

All those portions of the West half of the Northeast quarter of the Northeast quarter of Section 33, Township 16 North, Range 8 East, Mount Diablo Base and Meridian, described as follows, to-wit:

PARCEL NO. 1. Beginning at a point in the Northerly line of a 30 foot roadway from which the most southerly corner of Lot 4, Block 6, West Grass Valley Townsite, bears South 76° 57' East 17.37 feet and the most westerly corner of the Gold Bar Quartz Mine (Lot No. 206) bears North 33° 14' West 673.07 feet; thence North 77° 15' West 150.00 feet; thence North 69° 57' West 49.00 feet; thence South 17° 03' West 118.42 feet; thence South 45° 31' East 165.35 feet and thence North 31° 35' East 210 feet to the place of beginning.

PARCEL NO. 2. Beginning at a point which is located at South 33° 14' East 673.07 feet and South 31° 35' West 210.00 feet from the most Westerly corner of the Gold Bar Quartz Mine (Lot No. 206) thence North 45° 31' West 165.35 feet; thence South 17° 30' West 178.58 feet; thence South 66° 20' East 119.0 feet and thence North 31° 35' East 120.00 feet to the place of beginning.

AND YOU ARE HEREBY DIRECTED TO APPEAR AND ANSWER the complaint in an action entitled as above, brought against you in the Superior Court of the State of California in and for the County of Nevada within ten days after the service on you of this summons, if served within the County of Nevada, or within thirty days if served elsewhere.

AND YOU ARE HEREBY NOTIFIED that unless you appear and answer as above required, the said plaintiff will take judgment for any money or damages in the complaint as arising upon contract, or will apply to the Court for any other relief demanded in the Complaint.

GIVEN UNDER MY HAND and the seal of the Superior Court of the State of California in and for the County of Nevada this 14th day of September, 1937.

(Seal)

By R. N. McCORMACK, Clerk.
By R. E. DEEBLE, Deputy Clerk.

Nov. 19-26, Dec. 3-10-17-24-31 Jan. 7-14-21.

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Social Events

Mrs. Carl Johnson is Thanksgiving Hostess

Mrs. Carl Johnson of Park avenue entertained with a big turkey banquet Thanksgiving day. Present for the happy occasion were Mr. and Mrs. Carl Becker and son, Jack, of Marysville; Mr. and Mrs. Fred Develey, Jr., of Auburn; Mr. and Mrs. Fred Develey, Sr. and daughter, Catherine and Reno Macari, Alleghany; Peter Gianpaoli, San Luis Obispo; and Carl Johnson, who is working on his mining property in Plum Valley near Alleghany.

Thanksgiving is Triple Event

Thanksgiving Day this year was a triple celebration for Mrs. William C. Jeffrey of Nevada City. It was her birthday, their wedding day and Thanksgiving. Thanksgiving has come on this date several times during the 41 years of married life of Mr. and Mrs. William Jeffrey. They have resided in Nevada City all their wedded life except six years spent in Arizona. Their daughter, Miss Marie Jeffrey, was present for the quiet celebration.

Personal

Mr. and Mrs. Hal D. Draper and three children motored to Oakland Wednesday to spend Thanksgiving in a family reunion. Present were the following Mr. and Mrs. Draper, her sister, Mrs. S. E. Evans and family and brother, Norman Shaw.

P. G. Scadden and son, Walter Scadden motored to Sacramento Wednesday morning and spent Thanksgiving with Mr. Scadden's daughter, Mrs. W. H. Moore and Mr. Moore.

A party composed of Mrs. E. Foley, Elzear Foley, Mr. and Mrs. D. Coughlan, Carroll Coughlin, motored to Reno, yesterday to spend the holiday with Mrs. Foley's sister, Mrs. Joseph Ryan and Mr. Ryan.

Mr. and Mrs. Elmer Oates entertained members of Mrs. Oates family Thanksgiving day. In the party were Mr. and Mrs. Robert Steger, Sr., Mr. and Mrs. Robert Steger, Jr., and daughter, Mr. and Mrs. Don Steger and son, Mr. and Mrs. Miles Coughlin and children, and Carl Steger.

Mr. and Mrs. J. H. Lashbaugh of Alleghany went to Hollywood early this week to spend several days in their home city on a business and pleasure trip. Mr. Lashbaugh is interested in the Seven Aces mine at Alleghany.

Mr. and Mrs. R. Hathaway have as guests Mrs. Hathaway's sisters, Misses Rose and Nancy Ladd of Idaho Falls, Idaho. They are pleased with Nevada City and hope to remain here.

Mrs. H. P. Davis left early this week for a two weeks vacation to be spent in San Francisco, Santa Barbara and Los Angeles.

Mr. and Mrs. Dave Richards of Boulder street had as Thanksgiving guests Mrs. Richard's brother, J. E. Roberts and friend of Sacramento.

Mrs. Otto E. Schiffner is in receipt of a message from Mr. and Mrs. Paul Langerquest at Vancouver, B. C., stating they sailed for Australia on November 22. Mrs. Langerquest was the former public health nurse of this county. Her husband is going to Australia for a mining company.

Mrs. O. McCraney had as Thanksgiving and week end guests her son, Tom McCraney, daughter, Miss Amy McCraney and sister in law, Miss Abbie McCraney. Tom and Miss McCraney are attending university of California.

Just Wonderin'

I wonder as our Solons meet
To fashion laws, for good or ill,
If they each day will keep in mind
The old command, "thou shalt not kill."
And while world leaders sit afar
Discussing war with wordy din,
Will our own leaders "keep us out,
Or shall we find ourselves dragged in?

I wonder how America can keep out of the next world war. Perhaps by refusing to "lead off" upon projected trails which other nations seem reluctant or afraid to blaze. Perhaps by refusing to pull chestnuts out of hot fires for England, France or any other 'f'riendly" nation. Perhaps by scrapping our "D. F. Neutrality Law," and enacting one that will really work. "This is not our problem," you say? Let the boys at Washington attend to keeping America out." But after all, we, you and I, are the people; why shoul we fear to become articulate?

I wonder if the old excuses for prosecuting an unpopular war have become obsolete. This would seem to be the case, judging from Japan's naive confession.

"We are," their suokesmen explain, "fighting China in order to combat the spread of communism." Oh, but isn't that setting a trouble breeding precedent? What if some altruistically inclined nation were to attack America in order to retard the reorganization of the G. O. P. or halt the flow of narcotics into the states?

I wonder if Confucius and Buddah ever meet on the shores of the Styx, talk things over and grieve because their precepts are so generally ignored in the world they strove to better.

I wonder why truly great men are not adverse to being thought of as little and why little men are so desperately determined to be considered great.

I wonder how a great corporation would like to inscribe this upon its thousands of envelopes; El Pueblo de Nuestra Senora la Reina de Los Angeles. That however is the name in full borne by a certain famous city of Inferior California and of it, Oscar Wilde once said, "it is one of the two most beautiful things in America"; the other "most beautiful thing" according to the noted author, was the equally famous Kansas sunflower, now in temporary eclipse.

I wonder what Mr. Wilde would have said, had he been privileged to visit Los Angeles many years ago, when its name was Yangna. —A. MERRIAM CONNER.

BOST TESTIFIES OF LOST MINE

Ben A. Bost, Nevada City assayer testified last Wednesday in a San Francisco court in defense of charges that he falsified an affidavit under the Federal Gold Reserves Act of 1934.

Bost claimed that he had advanced $250 to a friend a long time ago. The friend was to use the money to work a small but rich mine he had. The mine was named the Lucky Gravel. Bost visited the mine several times in connection with loans to his friend a George Swisler, but the visits were made each time at night so he was unable to locate the mine later.

Witnesses were heard from the prosecution, which attempted to show that it was highly improbable that a mine as rich as the Lucky Gravel was purported to be, would not be recorded in the proper official lists. No mine was recorded in the neighborhood of the lost Lucky Gravel.

Mr. and Mrs. J. L. Jackson of the Hot Water mine at Graniteville were Nevada City visitors Wednesday driving into town with snow on their car. They stated there were about three inches of snow at the mine and the ground was white as far down as North Bloomfield.

Correct Glasses — W. P. Sawyer, M. D. Ott Bldg., Nevada City.

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SUNDAY
THE LIFE OF EMILE ZOLA: Paul Muni, Academy prize winner, is the star.
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